

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

SIERRA BROKERAGE SERVICES, INC., ET AL.,

Defendants.

Case No. C2-03-326

Judge Marbley
Magistrate Judge Abel

**FINAL JUDGMENT AS TO DEFENDANTS
KE LUO AND M&M MANAGEMENT LTD.**

On March 31, 2009, this Court entered an Opinion and Order in which it found that Plaintiff Securities and Exchange Commission is entitled to summary judgment against Defendants Ke Luo (“Luo”) and M&M Management Ltd. (“M&M”) (collectively “Defendants”) on Count I, liability for violating Section 5(a) and 5(c) of the Securities Act of 1933 [15 U.S.C. §§ 77e(a) and 77e(c)]; Count VIII, liability for violating Section 13(d)(1) and (2) of the Securities Exchange Act of 1934 (“Exchange Act”) [15 U.S.C. §§ 78m(d)(1) and (2)] and Rule 13d-1(a) and 13d-2(a) promulgated thereunder [17 C.F.R. §§ 240.13d-1(a) and 240.13d-2(a)]; and Count IX, liability for violating Section 16(a) of the Exchange Act [15 U.S.C. § 78p(a)] and Rule 16a-3 thereunder [17 C.F.R. § 240.16a-3] (see Docket #221). As part of that Opinion and Order, the Court granted disgorgement against Luo and M&M. Therefore, for the reasons set forth in the aforementioned Opinion and Order, the Court hereby orders the Clerk of the Court to enter this Final Judgment:

I.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendants are liable, jointly and severally, for disgorgement of \$1,161,869.00, representing profits gained as a result of

the conduct alleged in the Complaint, together with prejudgment interest thereon in the amount of \$440,296.00, for a total of \$1,602,165.00. Defendants shall satisfy this obligation by paying \$1,602,165.00 within ten (10) business days after entry of this Final Judgment by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission. The payment shall be delivered or mailed to the Office of Financial Management, Securities and Exchange Commission, Operations Center, 6432 General Green Way, Mail Stop 0-3, Alexandria, Virginia 22312, and shall be accompanied by a letter identifying Luo and M&M as defendants in this action; setting forth the title and civil action number of this action and the name of this Court; and specifying that payment is made pursuant to this Judgment. Defendants shall simultaneously transmit photocopies of such payment and letter to the Commission's counsel in this action. Defendants shall pay post-judgment interest on any delinquent amounts pursuant to 28 USC § 1961. The Commission shall remit the funds paid pursuant to this paragraph to the United States Treasury.

II.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court dismisses with prejudice Count II (Section 17(a)(1) of the Securities Act), Count III (Sections 17(a)(2) and 17(a)(3) of the Securities Act), and Count IV (Section 10(b) of the Exchange Act and Rule 10b-5 thereunder) and any claims by the Commission for civil penalties against Defendants Luo and M&M Management.

III.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this Final Judgment.

IV.

There being no just reason for delay, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, the Clerk is ordered to enter this Final Judgment forthwith and without further notice.

Dated: March 1, 2010


UNITED STATES DISTRICT JUDGE